

BY TELEGRAPH.

THE ELECTION OF CIRCUIT JUDGES ILLEGAL.

DECISION BY THE SUPREME COURT.

Special Dispatch to the Anderson Intelligencer.

COLUMBIA, S. C., Jan. 23, 1878.

Associate Justices McIver and Haskell of the Supreme Court decree that the vote mode of electing Circuit Judges was unconstitutional in the case of Judge Shaw. Chief Justice Willard dissents. This vacates, practically, six Judgeships. The election for Judge in Shaw's Circuit, the 3rd, will take place on Thursday, the 24th of January.

Judge Townsend adjourned Court immediately upon this announcement, and declared he would not do another single act as the Supreme Court had decided that he was an unconstitutional officer.

A great deal of excitement prevails as to the decision. It is generally considered unfortunate. There is strong opposition to the present incumbents, and it is possible that none of them will be re-elected.

J. L. O.

SOUTH CAROLINA INTELLIGENCE.

—Mr. John B. Pickett and family, of Coosa County, Alabama, have recently moved to Wallaha.

—Mr. Rodding, the contractor from Charlotte, has formed such a favorable opinion of Newberry that he intends to make it his future home.

—The Democracy was victorious in the late election in Williamsburg, electing their Clerk of Court, Judge of Probate, Coroner, and County Commissioners.

—CHRISTIE, Jan. 15.—George Ootter, was murdered by Turner Jackson on Sunday at Gooch's Ferry, in Lancaster County. Jackson has been arrested and lodged in jail.

—The abolition of the lien law is having a depressing effect in Marion. The poor darkeys, and the poor generally must suffer this year if the Legislature fails to come to their relief.

—Messrs H. L. Farley and T. J. Trimmer have purchased the Spartanburg *Spartan* from F. M. Trimmer. Captain H. L. Farley will continue to edit the paper with that ability and success which mark his record of the past few years.

—The students of Adger College now number 128, classified as follows: Senior Class 35; Sophomore Class 35; Freshman Class 15; Preparatory Department, 17, and in the Primary Department, 62. Other students are expected to enter soon.

—Mr. John McFall, a highly respected citizen of our County, died on last Thursday at Wallaha, on last Sunday. He was the oldest son of Capt. Samuel R. McFall, who was killed in the late war.

—The Greenville News: The colored pressman of the News suddenly went crazy a day or two ago, and having an axe in his hand was very dangerous. He flew from the town, but was brought back with a load of bird shot in his back. He is in a lamentable condition.

—We are glad to learn from the Greenville News, that Gen. A. C. Garlington, formerly of this State, now of Atlanta, Ga., has decided to move to Greenville. Gen. Garlington is a very distinguished lawyer. We are glad he is coming back to Carolina and hope he will meet with success in the practice of his profession.

—The net earnings of the Langley Factory, last year, were \$37,214.48, of which \$23,539.50 were made in the last six months. From July 1 to December 31, 1877, the mills consumed 2,688 bales of cotton, and employed an average of 610 hands. The company has a working capital of \$141,672.35, and has paid during the year \$32,000 in dividends.

—The Greenville News: James Robinson indicted for abduction; Foster Butler and Robert Brown, indicted for assault and battery; P. J. Henson and Benjamin Suddith, indicted for arson in burning the house of Pittman, escaped from the jail on Tuesday, by cutting a hole through the roof and letting themselves down by strips of blanket.

—The Georgetown News and News says: The newly elected Radical officials are making no effort to get bondsmen. The former sheriff has abandoned the jail, which is in charge of the clerk, and the inmates are suffering with cold and hunger. The election was extremely irregular, but the people, to avoid the law's delay, will let it go by default, and allow the Governor to appoint county officials.

—The Knoxville Courier very sensibly condenses the whole argument upon the Bonded Debt, in the following paragraph: "The bond question is being magnified. The people want no reputation. They will stand by the finding act of a former Legislature, in reference to the ante-war debt, and pay nothing but the debt created by law since that time. Any obligation tainted with fraud should be rejected."

—The Journal of Commerce of last Friday says: The United States prisoners were brought before that court yesterday for sentence, unanimously requested Judge Bryan, in passing the sentence of the law upon them, to have them confined somewhere else other than in the Charleston County Jail, on the ground that they were so much annoyed and pestered by vermin that they could not stand it, and were afraid of being eaten up.

A gentleman, who went with his family and means from Massachusetts to Seneca City, Oconee Co., S. C., through courageness, says the Southern Herald, writes under date of December 18th: "I have found everything here as you have told me. I have traveled the Western States over, even across the Rocky Mountains, in search of a home, and have not found a country that meets the wants of the poor man, or the rich man, the sick, or the well man as this does."

—The Post's special from Washington says the Republicans intend hastening a decision in the Senate of the resolution to investigate the alleged bargain between Patterson and Butler, whereby the former was to vote for the latter's admission to the Senate, and Butler was to use his influence to have the indictments against Patterson suspended.

—Ex-Coroner Worthington, of Charleston, asserts that he was a witness of the bargain, and he will be the important witness.

—The municipal election in Yorkville resulted in the election of the following officers: Intendant—Col. W. H. McKelvie. Wardens—John R. Shorbs, Joseph Herndon, Robert Wright and Edward Wheeler. Applying Judge Mackey's test that ability is measured by the success of an individual, says the Enquirer,

the above members constitute not only an able municipal board, but are deservedly popular—this being the fifth year for which they have been elected to serve.

—Mr. Walter S. Harley, of Walterboro, died on the 15th inst., of the effects of the wound received by him at the hands of Robert C. Fishburne in the duel near Savannah, Ga., of which we gave an account last week. The Coroner's jury, which investigated the case, returned a verdict that the deceased died of a gun shot wound inflicted by some person to the jury matter will be hushed up. The remains of Mr. Harley were carried back to Walterboro for interment.

—The Charleston News and Courier says: "The Anderson Intelligencer, in a clever article which we publish in another column this morning, has an excellent suggestion in regard to the use to be made of the convicts who yearly devour the substance of the State. The Intelligencer thinks that they might be profitably employed in resuscitating the Blue Ridge Railroad, which, it truthfully says, has cost the State too much money to be entirely abandoned. This is one subject at least on which the tip-country and Charleston can work in happy accord, and it is to be hoped that it will receive the serious and favorable consideration of the Legislature."

—The Knoxville Courier makes the following correction concerning the reported rescue of the prisoner Snow, at Seneca City: "We have visited Seneca City since the above publication. The Deputy Marshal and Snow arrived at Seneca City, and entered the hotel. The Marshal went out, and during his absence Snow disappeared. There was no resistance to the law, and no effort to release the prisoner. The prisoner simply walked off. This much in justice to the people of Seneca City. The people of Oconee have had no difficulty with the revenue officers and the revenue laws. These laws have not been as strictly enforced as they should be, and, as we are informed, they will be in future."

—The Knoxville Courier makes the following correction concerning the reported rescue of the prisoner Snow, at Seneca City: "We have visited Seneca City since the above publication. The Deputy Marshal and Snow arrived at Seneca City, and entered the hotel. The Marshal went out, and during his absence Snow disappeared. There was no resistance to the law, and no effort to release the prisoner. The prisoner simply walked off. This much in justice to the people of Seneca City. The people of Oconee have had no difficulty with the revenue officers and the revenue laws. These laws have not been as strictly enforced as they should be, and, as we are informed, they will be in future."

—The Knoxville Courier makes the following correction concerning the reported rescue of the prisoner Snow, at Seneca City: "We have visited Seneca City since the above publication. The Deputy Marshal and Snow arrived at Seneca City, and entered the hotel. The Marshal went out, and during his absence Snow disappeared. There was no resistance to the law, and no effort to release the prisoner. The prisoner simply walked off. This much in justice to the people of Seneca City. The people of Oconee have had no difficulty with the revenue officers and the revenue laws. These laws have not been as strictly enforced as they should be, and, as we are informed, they will be in future."

J. L. O.

SOUTH CAROLINA INTELLIGENCE.

—Mr. John B. Pickett and family, of Coosa County, Alabama, have recently moved to Wallaha.

—Mr. Rodding, the contractor from Charlotte, has formed such a favorable opinion of Newberry that he intends to make it his future home.

—The Democracy was victorious in the late election in Williamsburg, electing their Clerk of Court, Judge of Probate, Coroner, and County Commissioners.

—CHRISTIE, Jan. 15.—George Ootter, was murdered by Turner Jackson on Sunday at Gooch's Ferry, in Lancaster County. Jackson has been arrested and lodged in jail.

—The abolition of the lien law is having a depressing effect in Marion. The poor darkeys, and the poor generally must suffer this year if the Legislature fails to come to their relief.

—Messrs H. L. Farley and T. J. Trimmer have purchased the Spartanburg *Spartan* from F. M. Trimmer. Captain H. L. Farley will continue to edit the paper with that ability and success which mark his record of the past few years.

—The students of Adger College now number 128, classified as follows: Senior Class 35; Sophomore Class 35; Freshman Class 15; Preparatory Department, 17, and in the Primary Department, 62. Other students are expected to enter soon.

—Mr. John McFall, a highly respected citizen of our County, died on last Thursday at Wallaha, on last Sunday. He was the oldest son of Capt. Samuel R. McFall, who was killed in the late war.

—The Greenville News: The colored pressman of the News suddenly went crazy a day or two ago, and having an axe in his hand was very dangerous. He flew from the town, but was brought back with a load of bird shot in his back. He is in a lamentable condition.

—We are glad to learn from the Greenville News, that Gen. A. C. Garlington, formerly of this State, now of Atlanta, Ga., has decided to move to Greenville. Gen. Garlington is a very distinguished lawyer. We are glad he is coming back to Carolina and hope he will meet with success in the practice of his profession.

—The net earnings of the Langley Factory, last year, were \$37,214.48, of which \$23,539.50 were made in the last six months. From July 1 to December 31, 1877, the mills consumed 2,688 bales of cotton, and employed an average of 610 hands. The company has a working capital of \$141,672.35, and has paid during the year \$32,000 in dividends.

—The Greenville News: James Robinson indicted for abduction; Foster Butler and Robert Brown, indicted for assault and battery; P. J. Henson and Benjamin Suddith, indicted for arson in burning the house of Pittman, escaped from the jail on Tuesday, by cutting a hole through the roof and letting themselves down by strips of blanket.

—The Georgetown News and News says: The newly elected Radical officials are making no effort to get bondsmen. The former sheriff has abandoned the jail, which is in charge of the clerk, and the inmates are suffering with cold and hunger. The election was extremely irregular, but the people, to avoid the law's delay, will let it go by default, and allow the Governor to appoint county officials.

—The Knoxville Courier very sensibly condenses the whole argument upon the Bonded Debt, in the following paragraph: "The bond question is being magnified. The people want no reputation. They will stand by the finding act of a former Legislature, in reference to the ante-war debt, and pay nothing but the debt created by law since that time. Any obligation tainted with fraud should be rejected."

—The Journal of Commerce of last Friday says: The United States prisoners were brought before that court yesterday for sentence, unanimously requested Judge Bryan, in passing the sentence of the law upon them, to have them confined somewhere else other than in the Charleston County Jail, on the ground that they were so much annoyed and pestered by vermin that they could not stand it, and were afraid of being eaten up.

A gentleman, who went with his family and means from Massachusetts to Seneca City, Oconee Co., S. C., through courageness, says the Southern Herald, writes under date of December 18th: "I have found everything here as you have told me. I have traveled the Western States over, even across the Rocky Mountains, in search of a home, and have not found a country that meets the wants of the poor man, or the rich man, the sick, or the well man as this does."

—The Post's special from Washington says the Republicans intend hastening a decision in the Senate of the resolution to investigate the alleged bargain between Patterson and Butler, whereby the former was to vote for the latter's admission to the Senate, and Butler was to use his influence to have the indictments against Patterson suspended.

—Ex-Coroner Worthington, of Charleston, asserts that he was a witness of the bargain, and he will be the important witness.

—The municipal election in Yorkville resulted in the election of the following officers: Intendant—Col. W. H. McKelvie. Wardens—John R. Shorbs, Joseph Herndon, Robert Wright and Edward Wheeler. Applying Judge Mackey's test that ability is measured by the success of an individual, says the Enquirer,

the above members constitute not only an able municipal board, but are deservedly popular—this being the fifth year for which they have been elected to serve.

—Mr. Walter S. Harley, of Walterboro, died on the 15th inst., of the effects of the wound received by him at the hands of Robert C. Fishburne in the duel near Savannah, Ga., of which we gave an account last week. The Coroner's jury, which investigated the case, returned a verdict that the deceased died of a gun shot wound inflicted by some person to the jury matter will be hushed up. The remains of Mr. Harley were carried back to Walterboro for interment.

—The Charleston News and Courier says: "The Anderson Intelligencer, in a clever article which we publish in another column this morning, has an excellent suggestion in regard to the use to be made of the convicts who yearly devour the substance of the State. The Intelligencer thinks that they might be profitably employed in resuscitating the Blue Ridge Railroad, which, it truthfully says, has cost the State too much money to be entirely abandoned. This is one subject at least on which the tip-country and Charleston can work in happy accord, and it is to be hoped that it will receive the serious and favorable consideration of the Legislature."

—The Knoxville Courier makes the following correction concerning the reported rescue of the prisoner Snow, at Seneca City: "We have visited Seneca City since the above publication. The Deputy Marshal and Snow arrived at Seneca City, and entered the hotel. The Marshal went out, and during his absence Snow disappeared. There was no resistance to the law, and no effort to release the prisoner. The prisoner simply walked off. This much in justice to the people of Seneca City. The people of Oconee have had no difficulty with the revenue officers and the revenue laws. These laws have not been as strictly enforced as they should be, and, as we are informed, they will be in future."

—The Knoxville Courier makes the following correction concerning the reported rescue of the prisoner Snow, at Seneca City: "We have visited Seneca City since the above publication. The Deputy Marshal and Snow arrived at Seneca City, and entered the hotel. The Marshal went out, and during his absence Snow disappeared. There was no resistance to the law, and no effort to release the prisoner. The prisoner simply walked off. This much in justice to the people of Seneca City. The people of Oconee have had no difficulty with the revenue officers and the revenue laws. These laws have not been as strictly enforced as they should be, and, as we are informed, they will be in future."

—The Knoxville Courier makes the following correction concerning the reported rescue of the prisoner Snow, at Seneca City: "We have visited Seneca City since the above publication. The Deputy Marshal and Snow arrived at Seneca City, and entered the hotel. The Marshal went out, and during his absence Snow disappeared. There was no resistance to the law, and no effort to release the prisoner. The prisoner simply walked off. This much in justice to the people of Seneca City. The people of Oconee have had no difficulty with the revenue officers and the revenue laws. These laws have not been as strictly enforced as they should be, and, as we are informed, they will be in future."

—The Knoxville Courier makes the following correction concerning the reported rescue of the prisoner Snow, at Seneca City: "We have visited Seneca City since the above publication. The Deputy Marshal and Snow arrived at Seneca City, and entered the hotel. The Marshal went out, and during his absence Snow disappeared. There was no resistance to the law, and no effort to release the prisoner. The prisoner simply walked off. This much in justice to the people of Seneca City. The people of Oconee have had no difficulty with the revenue officers and the revenue laws. These laws have not been as strictly enforced as they should be, and, as we are informed, they will be in future."

LEGISLATIVE NOTES.

WEDNESDAY, January 16, 1878.

The business in the Senate to-day was unimportant.

In the House the Sumter election case came up. A very lengthy report was submitted by the Election Commissioners of Sumter County, in which they brought to the attention of the House the fact that a very large number of the voters had been held persons to them unknown entered the office of the Clerk and stole four of the ballot boxes. They therefore, regarded the election as void, and asked that the whole matter be investigated by the Legislature.

Mr. Aldrich offered a resolution that Mr. J. A. Mills be sworn in as a member of this House from Sumter County, but his resolution found no second.

Mr. Curtis then offered a substitute that Mr. Thomas B. Johnston be sworn as a member of this House from Sumter County.

Mr. Orr said he did not think either claimant had a *prima facie* right to his seat, and the House should investigate the matter before seating either Johnston or Mills.

Mr. Andrews demanded, in a loud and bitter speech, that Mr. Johnston should be seated, and that Mr. Johnston would resign if a member who was fairly elected should be denied his seat.

Mr. Haskell moved that the matter be referred to the Committee on Privileges and Elections.

Mr. J. J. Hemphill proposed an amendment that the committee be instructed to report as early as practicable.

The original motion of Mr. Haskell, embracing this amendment, was put and carried.

The following were then introduced: Mr. Orr—Joint resolution to authorize the Treasurer and County Commissioners of Anderson County to pay the past indebtedness of said County with any money that is now in the treasury.

Mr. Sloan—Bill to require the Judiciary Committee to ascertain what difficulties are in the way of collecting taxes due the State from the Blue Ridge Railroad Company.

The following were called up from the calendar and referred to the committee: Bill to regulate the costs and fees of plaintiffs, defendants, Clerks of Courts and other officers therein mentioned; bill to alter and amend the school law of South Carolina; bill to further reduce and fix the per diem and mileage of members of the General Assembly.

In the Senate the following matters of importance were presented: Bill to grant aid to the State Agricultural and Mechanical Society was referred to the Committee on Agriculture.

Report (favorable) of Committee on Penitentiary on bill to allow the Georgia and Florida Railroad Company to pay their indebtedness to the State for the hire of convicts in the stock of the said company at par was made the special order for to-morrow, at 1 p. m.

A resolution was adopted requesting the United States government to restore to the State the Glades Academy, situated in Charleston, and to pay the State for the use of them as a garrison post since the war.

In the House Mr. Orr submitted the report of the Committee on Privileges and Elections in reference to the returns of the Election Commissioners of Sumter County. The report is a very lengthy one, and will be read by Mr. Johnston.

Mr. T. B. Johnston was seated as a member of this House.

This report was productive of a long and animated discussion, in which Messrs. J. J. Hemphill, Orr, Verner, Haskell and others engaged.

During the debate as to whether the report should be received, the chairman of the Committee on Engrossed Bills asked leave to submit a report. His request was granted, and the following were reported as properly engrossed for a third reading, all of which were passed and sent to the Senate: Bill to amend the charters of the towns of Williamston, Belton and Home Park, S. C.

The Speaker announced that the report of Committee on Privileges and Elections was again before the House for consideration.

Mr. Ferriar called for the previous question on the whole matter, which call was sustained.

The question was then put—Shall the report be adopted? It was carried by a large vote.

Mr. Simpson, of the Ways and Means Committee, submitted a favorable report on a joint resolution to enable the County Commissioners and Treasurer of Anderson County to draw and pay the past indebtedness of said County out of funds now on hand; unfavorably on all the memorials in reference to the passage of the law imposing an additional liquor tax.

Mr. Haskell then offered resolutions concerning the public debt, and asked that they be printed and laid upon the desks of members, and be made the special order for next Wednesday, at 1 o'clock. They are as follows:

"WHEREAS, reports and unauthorized statements with regard to the action of this General Assembly in the matter of the debt of the State have been circulated, to the great detriment of the credit of the State, and have weakened the faith in the honor of her people; and whereas the committee appointed to investigate the public debt, with a view to the cancellation of forgeries, duplicates, bonds issued without authority of law, and the reporting of the actual indebtedness of the State, have, by reason of the magnitude of the work, been unable to complete their report as early as was expected; now, for the purpose of quieting all such groundless fears, and of putting to rest all injurious speculation in the faith of the State, be it

Resolved, That it is the sense of this General Assembly that the faith, honor and funds of the State are solemnly pledged for the payment of the public debt as fixed by the provisions of the act known as the consolidation act, and that prompt provision will be made, as soon as the forgeries, duplicates and bonds issued not authorized by that act have been ascertained from said report.

Resolved, That it is the confident belief of this body that the people of this State will in no way officers, direct or indirect, connected with any course leading to repudiation, either partial or total.

The resolutions were warmly discussed by several members before they were voted upon, and finally Mr. Haskell's motion was lost.

FRIDAY, Jan. 18th 1878.

In the House the following bills were introduced:

Mr. J. J. Hemphill—Bill to amend an act entitled "An act to reduce and fix the per diem and mileage of members of the General Assembly," so as to fix the pay of each member at three dollars per day.

Mr. Orr—Bill to amend an act known as the consolidation act, and that prompt provision will be made, as soon as the forgeries, duplicates and bonds issued not authorized by that act have been ascertained from said report.

Committee to inquire into taxes due by the Blue Ridge Railroad was adopted by the Committee on Incorporations made a favorable report on a bill to re-charter Newberry College, and they recommended that the two following be referred to the Judiciary Committee: Bill to create a marriage license law in this State and bill to authorize the appointment of an official stenographer for the Fifth Judicial Circuit.

Mr. Compton, of the Committee on Grievances, submitted a favorable report on a bill to prevent steamers from delivering freight on the Sabbath day.

Mr. Myers, of the Railroad Committee, reported unfavorably on a bill prohibiting freight trains on the Sabbath day.

The resolutions of Mr. Haskell in relation to the bonds were the next on the calendar.

Mr. Haskell said that since the resolutions had been offered he had consulted with some of the gentlemen who compose the bond commission, and that one of them had suggested that it would be unwise to pass the resolutions at this time; he, therefore, made a motion to table the resolutions, which was adopted.

The other resolution proposed by Mr. Haskell, which was to ask the Solicitor of this circuit to investigate the conduct of the officers of election for Sumter in the matter of an election for a member of the House, was then taken up.

Mr. Orr moved to lay the resolution on the table, and Mr. Ferriar moved that it be referred to the Committee on Privileges and Elections.

The bill which is popularly known as the Moffett whiskey punch law was taken up, being the last business on the calendar.

It elicited a short discussion, but was finally postponed until Wednesday, February 1.

SATURDAY, Jan. 19, 1878.

The principal business of importance in the Senate was the consideration of the report of the Judiciary Committee, recommending the passage of a resolution to declare void the election of Judges and Justices of the Peace, held on the 1st of December, 1875.

This opened a very spicy debate between Gen. Gary and Hon. J. B. Campbell, which gave the former gentleman an opportunity to repeat his views of Judge Willard. The Senate, however, had the good sense to lay the whole matter on the table, by the following vote:

Yeas—Baker, Bowen, Buck, Campbell, Cannon, Carter, Coker, Collins, Counts, Crittenden, Duncan, Fraser, Frier, Kinder, Livingston, Manning, Myers, Todd, Williams, Witherspoon, Wythe—21.

Nays—Butler, Gary, Howard, Lipscomb—10.

In the House, Mr. Orr introduced a bill to authorize the appointment of a State Mineralogist; bill to constitute the Town of Anderson, a special Township for all purposes.

The enacting clause of a bill to prevent steamers on the Santee River from delivering goods on the Sabbath was struck out by the following vote:

Yeas—Aldrich, of the Judiciary Committee, made a favorable report on the concurrent resolution to inquire into the cause of the extermination of fish in the fresh water streams in this State.

Mr. Simpson, of the Committee of Ways and Means, reported favorable on a bill to reduce the taxation on the grounds of the Furman University; unfavorably on a joint resolution to authorize the County Treasurers to pay out certain money on hand.

Mr. Watts, of the Committee on Agriculture, submitted a favorable report on a bill to protect the growing crops from being leveled off and bill to amend the existing laws.

A joint resolution to amend the constitution as to the meetings of the General Assembly was next brought up for consideration. This resolution provides for a biennial session of the Legislature. It was not well received by the members, and closed by a spirited discussion.

Mr. Wells moved to strike out the resolving clause.

Mr. E. S. Allen objected to this motion, and gave his reasons, some of which were very strong, why the resolution should pass. He thought that once every two years was often enough for our Legislature to meet.

Mr. Wells pointed out that if this law should pass the State would gain nothing, as the sessions of the Legislature would be twice as long as they now are. He insisted that the members ought to sustain his motion.

Mr. Haskell took a different view. He thought the resolution was cogent arguments in its favor. He insisted that it could only be productive of good results. That it would save the State thousands of dollars annually; that biennial sessions were often enough; that this law had worked well in other States, and that \$100,000 would be saved in one year.

At the conclusion of Mr. Haskell's argument, the yeas and nays were called on the question as to whether the resolving clause should be struck out, and the vote stood—yeas 74; nays 25; thereby killing the resolution.

MONDAY, Jan. 21, 1878.

In the Senate, Gen. Gary rose to a question of privilege. He read from the Columbia Register, of Sunday (yesterday), the following article, which appeared in the editorial columns of that paper and which was based upon his remarks in the Senate on Saturday last:

"If Chief Justice Willard is the corrupt official Gen. Gary would make the public believe, why does the Senator from Edgefield not furnish the proof?"

Gen. Gary said: "I reply I have this to say: The information that Judge Willard was bribed, while associate justice of the Supreme Court, was communicated to me as Senator. I reported it to Senator John R. Cochran, the chairman of the joint investigating committee, and I have since then given the same to the witnesses. Three of these witnesses were Republicans and one a Democrat. Senator Cochran assured me that he would give it his attention and report the matter to the General Assembly. I have still in my possession the names of those witnesses and additional names besides, and I have not given them out, and I am considering it my duty to the General Assembly to give this information."

Sensor Cochran said: "I admit that the Senator from Edgefield gave me those names, &c., but after examination of the resolution under which we were appointed and after consulting with the committee, we decided that we had nothing to do with Judge Willard unless some charge of dishonesty in connection with the public funds had been made. We have nothing to do with it as it now stands, and have, besides, as much as we can attend to without it."

Mr. Lipscomb offered the following resolution:

Resolved, That a committee of three on the part of the Senate and—on the part of the House be appointed to investigate all charges of corruption and bribery or misconduct in office made against Chief Justice Willard, and to report to the General Assembly by resolution or otherwise, and that it be authorized to send for persons and papers.

Ordered for consideration to-morrow.

glary, Arson and Rape punishable with death, elicited a Rame discussion, and was finally amended by Hon. C. G. Meminger as follows: "That in all cases where a person is found guilty of any one of these crimes the jury may make a special verdict recommending the prisoner to the mercy of the court, and that the Judge in that case may substitute the death penalty imprisonment at hard labor for life in the penitentiary," and passed by the following vote:

Those who voted in the affirmative were Messrs. Aldrich, E. S. Allen, W. S. Allen; Anderson, Blair, Austin, Bates, Bissell, Blankens, Blue, W. B. Bradley, Byles, Brown, Bryan, Byles, Callahan, Callison, Compton, Cooper, Cummings, Dargan, Davis, Dean, Samuel Dibble, Edens, John B. Erwin, Ferriar, Gaither, Gray, Guignard, Hacker, Hall, Hamer, Haskell, R. R. Hemphill, J. J. Hemphill, Holmes, Hood, J. H. Hunter, Humber, Kinloch, Leaphart, Marce, Massey, Meminger, McKewen, McRae, Moore, Muller, Orr, Peake, Pettie, Pope, Redfern, Rodgers, Roundtree, Rutledge, Sawyer, Shand, Simonton, Simpson, Vandiver, Verner, Watts, Westberry, Westmoreland, Wolf and Wythe.

The following members voted in the negative: Messrs. Alexander, Andrews, Boston, Coleman, Curtis, E. H. Dibble, Eckhard, Evans, Fickens, Forrest, Gallard, Gantt, Harper, Hough, Jennings, P. W. Kinloch, Lowman, Melchers, Miller, Milton, Morgan, O'Neill, Palmer, Petersen, Reed, Robinson, Scott, Smith, Wells, Wythe.

The calendar was next taken up.

The resolution (by Mr. Pettie) that no bills shall be introduced by members after the first of February created some discussion, but was finally adopted.

The following received unanimous reading: Bill to prevent public officers from issuing checks except upon funds actually in their hands.